



3. The motion to dismiss is GRANTED in its entirety as to Plaintiffs Delbaugh and Beck. The Clerk is likewise directed to terminate these Plaintiffs on the docket.
4. Count Three, termination in violation of public policy is DISMISSED.
5. The action remains, therefore as to Counts I and II as to Plaintiffs Drumm and McElwee and Count IV as to Plaintiff McElwee.

BY THE COURT:

/s Matthew W. Brann

Matthew W. Brann

United States District Judge